

**192N THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL DOCKET NO.: 3:02CR93-V**

UNITED STATES OF AMERICA)	
)	
vs.)	<u>ORDER</u>
)	
BRIAN KEITH LADNER,)	
Defendant.)	
<hr/>)	

THIS MATTER comes before the Court on Defendant's Motion to Terminate Supervised Release, filed May 3, 2007.¹ (Document #192) Although the Government did not file a written response, counsel for Defendant indicates in the motion that the U.S. Attorney opposes the instant request.

In his motion, Defendant seeks early termination of his three-year term of supervised release. Indeed, Defendant has already completed approximately two years of the three-year term of supervised release. In addition, the U.S. Probation Department for the Southern District of Mississippi indicates that Defendant has complied with all his conditions of supervised release.² Upon review of the relevant factors, the Court finds that early termination of supervised release is appropriate in this case. 18 U.S.C. §3583(e)(1);

¹ The Court notes that the Order of Recusal issued on August 18, 2005, was limited in nature and did not purport to recuse the undersigned from all aspects of the case. (See Document #182 - limiting recusal to review of 6-13-05 Memorandum and Recommendation and related objections). Because the undersigned was both the trial judge and sentencing judge, this motion is properly before this Court.

² The supervising officer in the Southern District of Mississippi is Curt Raymond. Mr. Raymond advised chambers staff that in the Southern District of Mississippi, as a matter of policy, nobody is recommended for early termination and the supervising officer is to remain neutral.

FED. R. CRIM. P. 32.1.

IT IS, THEREFORE, ORDERED that the Defendant's motion is hereby **GRANTED**.
Accordingly, the Defendant's supervised release term is hereby **TERMINATED**, effective immediately.

Signed: September 25, 2007

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

